

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*O I P E JC10  
JUN 14 2004  
PATENT & TRADEMARK OFFICE*

In re the Application of: )  
Alexander M. McQueen ) Group Art Unit:  
Serial No.: 10/762,132 )  
Filed: January 20, 2004 )  
For: **METHOD AND APPARATUS TO  
PREVENT REPORTING MULTIPLE READS  
OF OPTICAL CODED ITEMS** )

INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to the duty of disclosure, documents listed on the accompanying Form PTO-1449 (or equivalent) are presented for the Examiner's consideration.

Copies of listed U.S. patent documents are omitted because this application was filed after June 30, 2003 and, thus is subject to image file wrapper processing.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated.

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CERTIFICATE OF MAILING  
(37 C.F.R. §1.10)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

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June 11, 2004  
Date of Deposit  
PortInd2-4472582.1 0051306-00789

Sandi Lekar  
Name of Person Mailing Paper

*Sandi Lekar*  
Signature of Person Mailing Paper

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

The fee due under 37 CFR § 1.17(p) is submitted herewith.

A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making

reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- Please charge PSC's Deposit Account No. 13-4953 for the above fee(s).
- The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any additional fees which may be required.<sup>1</sup>

Respectfully submitted,

STOEL RIVES LLP

Dated: June 11, 2004

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<sup>1</sup> The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.

LIST OF PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

ATTY. DOCKET NO.  
51306/789:1SERIAL NO.  
10/762,132APPLICANT:  
Alexander M. McQueenFILING DATE:  
January 20, 2004

GROUP:

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	AA	5,260,553	11/1993	Rockstein et al.	235	462	
	AB	5,410,108	4/1995	Williams et al.	177	25.15	
	AC	5,475,207	12/1995	Bobba et al.	235	467	
	AD	5,491,328	2/1996	Rando	235	462	
	AE	5,705,802	1/1998	Bobba et al.	235	467	
	AF	5,834,708	11/1998	Svetal et al.	177	180	
	AG	5,837,988	11/1998	Bobba et al.	235	467	
	AH	5,883,370	3/1999	Walker et al.	235	375	
	AI	5,992,744	11/1999	Smith et al.	235	462.11	
	AJ	6,047,889	4/2000	Williams et al.	235	383	
	AK	6,147,767	11/2000	Petteruti et al.	358	1.18	
	AL	6,189,784	2/2001	Williams et al.	235	575	
	AM	6,206,286	3/2001	Watanabe et al.	235	462.01	
	AN	6,354,630	3/2002	Zhang et al.	283	70	
	AO	6,360,097	3/2002	Smith et al.	455	434	
	AP	6,411,397	6/2002	Petteruti et al.	358	1.18	
	AQ	6,698,658	3/2004	McQueen	235	462.14	

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	BA						
	BB						
	BC						

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant